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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, et al.,
Plaintiffs,
v.
FEDEX EXPRESS,
Defendant.

No. C 03-2659 SI; No. 03-2878 SI

**ORDER GRANTING REQUEST TO
DESIGNATE ALTSHULER, BERZON,
NUSSBAUM, RUBIN & DEMAIN AS
CLASS COUNSEL**

By letter dated December 15, 2006, James Finberg Esq., currently with class counsel Lieff, Cabraser, Heimann & Bernstein, LLP, requests that the Court designate an additional firm – the Altshuler Berzon firm – as class counsel in the above-referenced cases. Mr. Finberg states that the designation is necessary because as of January 1, 2007, he and Eve Cervantez, Esq., will be leaving Lieff Cabraser and joining the Altshuler firm. All co-counsel, with the exception of Waukeen McCoy, Esq., have agreed to the designation of the Altshuler firm. Defendant has filed a statement of non-opposition to the designation.

Pursuant to Federal Rule of Civil Procedure 23(g), the Court finds that the appointment of the Altshuler firm as class counsel is in the best interest of the class. Mr. Finberg and Ms. Cervantez have been integrally involved in the litigation of this complex class action, and their continued representation is particularly important in light of the fact that trial is imminent. The Court finds it unnecessary to resolve any disputes between plaintiffs' counsel regarding the co-counsel agreement.

IT IS SO ORDERED.

Dated: December 22, 2006

Susan Illston
SUSAN ILLSTON
United States District Judge

United States District Court

For the Northern District of California

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